

BRIAN SANDOVAL
Governor



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Director

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**Division of Health Care Financing and Policy
Notice of Meeting to Solicit Public Comments and Intent to Act
Upon Amendments to the Medicaid Services Manual (MSM)**

**Public Hearing September 7, 2016
Minutes**

Date and Time of Meeting:	September 7, 2016 at 1:22 PM
Name of Organization:	State of Nevada, Department of Health and Human Services, Division of Health Care Financing and Policy (DHCFP)
Place of Meeting:	Nevada State Legislative Building 401 South Carson Street, Room 3138 Carson City, Nevada 89701
Place of Video Conference:	Grant Sawyer Office Building 555 E. Washington Avenue, Room 4406 Las Vegas, Nevada 89101
Teleconference:	(877) 402-9753
Access Code:	7316372

Attendees

In Carson City, NV

Lynne Foster, DHCFP	Darrell Faircloth, SDAG
Elizabeth Aiello, DHCFP	Shannon Sprout, DHCFP
Adrienne Navarro, DHCFP	Andrew Rico, DHCFP
Denise Stokich, DHCFP	Alexis Tucey, DHCFP
Paula Berkley, HCC	Tammy Moffitt, DHCFP
Mary Gordon, DHCFP	Joelle Gutman, Public
Marti Coté, DHCFP	

In Las Vegas, NV

Katreca Ormond, Acute Care of Nevada Warren Hardy, Molina Healthcare

Introduction:

Ms. Lynne Foster, Chief of Division Compliance, Division of Health Care Financing and Policy (DHCFP), opened the Public Hearing introducing herself, Ms. Betsy Aiello, Deputy Administrator of the DHCFP and Mr. Darrell Faircloth, Senior Deputy Attorney General (SDAG).

Ms. Foster – The notice for this public hearing was published on August 5, 2016 in accordance with the Nevada Revised Statute 422.2369.

1. Public Comment

- No Comment

2. For Possible Action: Review and approve meeting minutes from the August 11, 2016 public hearing.

Ms. Foster asked if any staff members have any proposed corrections to the minutes for this public hearing and none were received.

Public Comments

- No Comments

Ms. Foster: Recommended the Deputy Administrator approve as written.

Ms. Aiello: Approved as written.

3. Discussion of proposed changes to Medicaid Service Manual Chapter 3400 – Telehealth Services

Ms. Marti Coté:

Revisions to Medicaid Services Manual (MSM) Chapter 3400 are being proposed to further clarify previous changes and definitions, and ensure alignment with Assembly Bill (AB) 292, a Nevada bill that expanded telehealth to remove restrictions on providers and services. This creates parity between in-person and telehealth appropriate services. Language that described limitations to specific categories for telehealth consultations has been deleted. The chapter was restructured for ease of reading and to eliminate redundancy. Group therapy has been added as an allowable service via telehealth. Clarification is added stating that facilities billing encounters for services can also bill encounters in lieu of the facility fee of the originating site.

Entities Financially Affected: There is no anticipated financial impact.

Financial Impact on Local Government: There is no anticipated financial impact.

The effective date is September 8, 2016.

At the conclusion of Ms. Coté's presentation, Ms. Foster asked Ms. Aiello, Deputy Administrator, and Mr. Faircloth, SDAG, if they had any questions or comments.

Ms. Aiello's Comments:

- No Comments

Mr. Faircloth's Comments:

- No Comments

Public Comments:

- No Comments

Ms. Foster – Recommended the Administrator approve as submitted.

Ms. Aiello's – Approved as submitted.

Ms. Foster – Closed the Public Hearing for the MSM Chapter 3400 – Telehealth Services.

4. Discussion of proposed changes to Medicaid Service Manual Chapter 3500 – Personal Care Services (PCS) Program

Ms. Adrienne Navarro and Ms. Denise Stokich:

Revisions to Medicaid Services Manual (MSM) Chapter 3500 are being proposed to remove licensure requirements from policy as oversight for such is the responsibility of the licensing agency and to align Personal Care Services (PCS) policy in MSM Chapter 3500 with Self-Directed PCS policy in MSM 2600. As a result, requirements for criminal background checks, tuberculosis testing and training are being removed from policy. Provider enrollment process was updated to reflect the current process. Additional updates were necessary to clarify policies throughout. Some sections were combined and/or merged together to create new ones. Sections were also added to align policies, or deleted to remove duplications or obsolete policy/process.

Entities Financially Affected: There is no anticipated financial impact.

Financial Impact on Local Government: There is no anticipated financial impact.

The effective date is September 8, 2016

At 2:30 PM, Ms. Foster called a 10 minute break and Ms. Aiello left. Upon resumption of the hearing, Ms. Foster introduced Ms. Tammy Moffitt, Chief of Program Integrity would be representing the division.

At the conclusion of Ms. Navarro and Ms. Stokich's presentation, Ms. Foster asked Ms. Moffitt, Chief of Program Integrity, and Mr. Faircloth, SDAG, if they had any questions or comments.

Ms. Moffitt's Comments:

- No Comments

Mr. Faircloth's Comments:

- Mr. Faircloth had a concern about Section 3501 regarding the social Security Act 1902(10). He stated that it is an incorrect reference and asked if Ms. Navarro has the correct reference number.
- Ms. Navarro said that she would have to look it up.
- Mr. Faircloth also wanted to follow up with Section 3503 page 5. He stated that there is a reference for "chore services" and isn't certain if it should include a definition or if it is defined elsewhere so that it could be understood.
- Ms. Navarro stated that she isn't positive if the definition is in the addendum or not. She would have to look and see if it is defined in there.
- Mr. Faircloth requested that Ms. Navarro make a note of that because if he has questions about the definition, other people would too.
- Mr. Faircloth pointed out that on Section 3503.10, page 28, the second sentence states "For the purposes of the Chapter, the DHCFP or their designee takes adverse action when:" and it lists a number of things that might transpire, and he didn't think it reads as they intended it to. He suggested changing the wording to "For the purposes of the Chapter, the DHCFP or their designee may take adverse action when:" any of these conditions occur.
- Ms. Navarro agreed with Mr. Faircloth that "takes" should be replaced with "may take."

Public Comments:

- No Comments

Ms. Foster – Recommended the Chief of Program Integrity approve as submitted with the following changes:

- Section 3500, second sentence – change “persons with disabilities and chronic conditions” to “they.”
- Section 3500, second paragraph – delete “or persons with related conditions.”
- Section 3501 – correct reference to “Social Security Act 1902(10).”
- Section 3502 – change “DEFINITION” to “DEFINITIONS.”
- Section 3503.1E, second paragraph – change “therapists” to “therapist.”
- Section 3503.1E(1)(a), fourth paragraph – change “occupation” to “occupational.”
- Section 3503.1I(2) – delete “or PCR.”
- Section 3503.2, second paragraph – add “PCS” after however and delete “services” after PCS in the final sentence.
- Section 3503.5 – add “task” between PCS and en route.
- Section 3503.7 – 2. should read “The cost of criminal background checks and TB testing;.”
- Section 3503.7 – 2. should be 3. and should read “Travel time to and between recipients home;” – delete “and/or.”
- Section 3503.7 – 4. should read “The cost of basic training, in service requirements and the CPR and first aid requirement; and/or.”
- Section 3503.7 – 5. should read “Routine supplies customarily used during the course of visits, including but not limited to non-sterile gloves.”
- Section 3503.10 should be 3503.9.
- Section 3503.10, second sentence – change “takes” to “may take.”
- Allow staff to make corrections to grammar, punctuation and formatting.

Ms. Moffitt: – Approved as submitted with the changes read into the record.

Ms. Foster: – Closed the Public Hearing for the MSM Chapter 3500 – Personal Care Services (PCS) Program.

5. Discussion of proposed changes to Medicaid Service Manual Chapter 2600 – Intermediary Service Organization (ISO)

Ms. Adrienne Navarro and Ms. Denise Stokich:

Revisions to Medicaid Services Manual (MSM) Chapter 2600 are being proposed to differentiate and separate policy for the two services that can be self-directed through an ISO; Self-Directed Personal Care Services (SD PCS) and Self-Directed Skilled Services. SD PCS policy is being aligned with current Personal Care Services (PCS) policy in MSM Chapter 3500 and several new sections were added for this purpose. Some sections were combined and/or merged together to create a new section or deleted to remove repetition. Language was moved from some sections and added to others where more appropriate. All licensure requirements have been removed from policy, as oversight for such is the responsibility of the licensing agency. In addition, outdated language and procedures were removed and replaced with current language and procedures where applicable. Overall updates were made to ensure PCS policy and requirements are the same regardless of the delivery model.

Entities Financially Affected: There is no anticipated financial impact.

Financial Impact on Local Government: There is no anticipated financial impact.

The effective date is September 8, 2016.

At the conclusion of Ms. Navarro and Ms. Stokich's presentation, Ms. Foster asked Ms. Moffitt, Chief of Program Integrity, and Mr. Faircloth, SDAG, if they had any questions or comments.

Ms. Moffitt's Comments:

- No Comments

Mr. Faircloth's Comments:

- No Comments

Public Comments:

- No Comments

Ms. Foster – Recommended the Chief of Program Integrity approve as submitted with the following changes:

- Section 2600, fourth paragraph – delete “or persons with related conditions.”
- Section 2601 – correct reference to “Social Security Act 1902(10).”
- Section 2603.1D(1)(a), paragraph three – change “occupation” to “occupational.”
- Section 2603.1E(5) – delete “timely” so end of sentence reads “service delivery in a timely manner.”
- Section 2603.8(9) – change last sentence to read “...responsibility of the recipient, their LRI or PCR.”
- Section 2603.10 – add “tasks” between “PCS” and “en route.”
- Section 2603.15, second paragraph – change “takes” to “may take.”
- Allow staff to make corrections to grammar, punctuation and formatting.

Ms. Moffitt: – Approved as submitted with the changes read into the record.

Ms. Foster: – Closed the Public Hearing for the MSM Chapter 2600 – Intermediary Services Organization.

6. General Public Comments

- No Comments

7. Adjournment

There were no further comments and Ms. Foster adjourned the public hearing at 4:20 PM.

****An Audio (CD) version of this meeting is available through the DHCFP Administration office. For more detailed information on any of the handouts, submittals, testimony and or comments please contact Ellen Felsing at Ellen.Felsing@dhcfp.nv.gov or (775) 684-3684 with any questions.***